

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
for Charlottesville  
DEC 2 2005

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

JOHN E. CORCORAN, CLERK  
BY: *Fay Coleman*  
DEPUTY CLERK

CYNTHIA B. EVANS,

*Plaintiff,*

v.

MEDTRONIC, INC.,

*Defendant.*

CIVIL ACTION NO. 3:04CV00097

**ORDER**

JUDGE NORMAN K. MOON

For the reasons set forth in the accompanying Memorandum Opinion, it is hereby  
ADJUDGED, ORDERED AND DECREED  
as follows:

1. The Defendant's May 16, 2005 Motion to Exclude Plaintiff's Designated Experts  
Douglas Townsend, Ph.D. and David Urquia, M.D. shall be, and it hereby is, GRANTED  
with respect to Dr. Townsend. The Court makes no determination of this motion as to  
Dr. Urquia.
2. The Defendant's May 16, 2005 Motion for Summary Judgment shall be, and it hereby is,  
GRANTED;
3. The Magistrate's Report and Recommendation of August 23, 2005, shall be, and it hereby  
is, REJECTED;
4. This action shall be, and it hereby is, DISMISSED and STRICKEN from the active

docket of this Court.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED:

Norma J. Moran  
United States District Judge

December 27, 2005  
Date